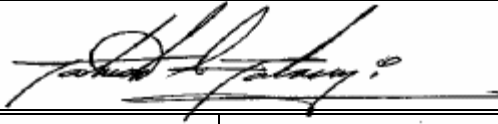


**IDAHO STATE
DEPARTMENT OF AGRICULTURE**

APPROVED BY:



ORIGINAL EFFECTIVE DATE:

April 9, 2001

REVISION DATE:

**TITLE: DISCRIMINATION OR SEXUAL HARASSMENT POLICY
 AND COMPLAINT PROCEDURES**

It is the policy of the Department that all employees have a right to work in an environment that is free from discriminatory harassment based on sex, gender, race, age, national origin, religion, disability, or any other protected discriminatory factor. The Department prohibits any form of harassment of its employees by other employees and will take immediate and appropriate action to prevent and correct behavior that violates this policy. All employees are expected to treat their co-workers with courtesy, respect and dignity. The Department also strives to protect its employees from any form of harassment by third parties, including customers and vendors.

This policy is disseminated to all employees of the Department. Managers and supervisors are expected to make all departmental employees aware of it.

The Department has designated the Human Resource Officer as the official responsible for receiving and investigating complaints of harassment. Any employee, supervisor or manager who is made aware of an alleged incident of harassment must immediately bring the matter to the attention of the Human Resource Officer or another member of the Human Resource Unit who will take action pursuant to this policy. Employees also have the right to file complaints directly with the Idaho Human Rights Commission.

Prohibited Conduct

Employees are expected to conduct themselves in a business-like manner at all times. Any verbal or physical conduct that belittles or demeans an individual because of his or her race, color, religion, national origin, gender, age, disability, or similar characteristics or circumstances is prohibited. To assist employees and managers in understanding what discriminatory harassment is, the Department has adopted the following Equal Employment Opportunity Commission (EEOC) standards:

Harassment Is: Verbal, written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of his/her race, color, religion, gender, national origin, age, or disability, or that of his/her relatives, friends, or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile, or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities."

Examples of harassment include slurs, negative stereotyping, hostile acts, and written or graphic material posted or circulated in the work place that denigrates individuals because of race, color, religion, gender, national origin, age, or disability.

Sexual Harassment Is: Unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature. This conduct constitutes unlawful sexual harassment when: (1) submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment; (2) submission to or rejection of such conduct is used as the basis for an employment decision, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or of creating an intimidating, hostile, or offensive working environment.

While sexual harassment usually involves members of the opposite sex, it also includes "same sex harassment" (i.e.; males harassing males and females harassing females because of the recipient's sex).

Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, that fails to respect the rights of others, that lowers morale and that therefore, interferes with our work effectiveness. Sexual harassment may take different forms. One specific form is the demand for sexual favors. Other forms of harassment include sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, or threats.

Complaint Procedure

Employees have the responsibility to bring any form of unwelcome harassment to the attention of the Department immediately. Any employee who has a complaint of sexual or other discriminatory harassment should report the alleged act immediately to the employee's supervisor the Department's Human Resource Officer or other member of the Human Resource Unit. Although employees are free to address inappropriate conduct with the offending person, employees **do not** have to complain first to the offending person.

All complaints will be handled in a timely and confidential manner. A thorough and independent investigation will be conducted based on the employee's statement of what has occurred. Individuals involved in the complaint will be advised not to discuss the subject outside of the investigation. The Department will retain confidential documentation of all allegations and investigations and will take appropriate corrective action to remedy all violations of this policy. The purpose of this provision is to protect the confidentiality of the employee who files a complaint to the extent possible; to encourage the reporting of any incidents of sexual or other harassment and to protect the reputation of any employee wrongfully charged with sexual harassment.

If the Department determines that workplace harassment has occurred on the basis of race, color, religion, national origin, age or disability, corrective action will be taken. Depending upon the circumstances, this corrective action may include, but would not be limited to, verbal or written reprimand, suspension, demotion, or dismissal.

Retaliation against any complaining employee, any witness, or anyone involved in a complaint is strictly prohibited. The Department will follow up any complaint or investigation as appropriate to insure that no retaliation occurs. Employees should immediately report any retaliation under the complaint procedure as set forth in this policy. The Department will not tolerate retaliation and will take prompt and immediate steps to eliminate retaliation.